

103D CONGRESS
2D SESSION

S. 2407

AN ACT

To make improvements in the operation and administration of the Federal courts, and for other purposes.

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To make improvements in the operation and administration
of the Federal courts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Judicial Amendments
5 Act of 1994”.

1 **SEC. 2. AMENDMENTS TO THE JUDICIARY AUTOMATION**
2 **FUND.**

3 Section 612 of title 28, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) in the second sentence by inserting
7 after “equipment for” the following: “program
8 activities included in the courts of appeals, dis-
9 trict courts, and other judicial services account
10 of”; and

11 (B) in the third sentence by striking out
12 all after “personal services” and inserting in
13 lieu thereof “, support personnel in the courts
14 and in the Administrative Office of the United
15 States Courts, and other costs, for the effective
16 management, coordination, operation, and use
17 of automatic data processing equipment pur-
18 chased by the Fund. In addition, all agencies of
19 the judiciary may make deposits into the Fund
20 to meet their automatic data processing needs
21 in accordance with subsections (b) and (c)(2).”;

22 (2) in subsection (b)(1) by striking out “judicial
23 branch” and inserting in lieu thereof “activities
24 funded under subsection (a) and shall include an an-
25 nual estimate of any fees that may be collected

1 under section 404 of the Judiciary Appropriations
2 Act, 1991 (Public Law 101–515; 104 Stat. 2133)”;

3 (3) in subsection (b)(2) by striking out “judicial
4 branch of the United States” and inserting in lieu
5 thereof “activities funded under subsection (a)”;

6 (4) in subsection (c)(1)(A), by inserting after
7 “surplus property” the following: “, all fees collected
8 after the date of the enactment of the Judicial
9 Amendments Act of 1994 by the judiciary under sec-
10 tion 404 of the Judiciary Appropriations Act, 1991
11 (Public Law 101–515; 104 Stat. 2133)”;

12 (5) in subsection (e)(1)—

13 (A) by striking out “(A)”; and

14 (B) by striking out “\$75,000,000” and in-
15 serting in lieu thereof “amounts estimated to be
16 collected under subsection (c) for that fiscal
17 year”;

18 (6) in subsection (h) by amending the sub-
19 section to read as follows:

20 “(h) ANNUAL REPORT.—

21 “(1) IN GENERAL.—The Director shall submit
22 to the Congress an annual report on the operation
23 of the Fund, including on the inventory, use, and ac-
24 quisition of automatic data processing equipment
25 from the Fund and the consistency of such acquisi-

1 tion with the plan prepared under subsection (b).
2 The report shall set forth the amounts deposited
3 into the Fund under subsection (c).

4 “(2) ADDITIONAL CONTENTS OF REPORT.—The
5 annual report submitted under this subsection shall
6 include—

7 “(A) the specific actions taken and the
8 progress made to improve the plan developed
9 under subsection (b) and the long range auto-
10 mation plan and strategic business plan devel-
11 oped under subsection (k); and

12 “(B) a comparison of planned Fund ex-
13 penditures and accomplishments with actual
14 Fund expenditures and accomplishments, and
15 the reasons for any delays in scheduled systems
16 development, or budget overruns.

17 “(3) REPORT IN YEAR OF TERMINATION OF AU-
18 THORITY.—The annual report submitted under this
19 subsection for any year in which the authority for
20 this section is to terminate under subsection (m),
21 shall be submitted no later than 9 months before the
22 date of such termination.”;

23 (7) in subsection (i) by striking out all after
24 “Judicial Conference of the United States,” and in-
25 serting in lieu thereof “may transfer amounts up to

1 \$1,000,000 from the Fund into the account to which
2 the funds were originally appropriated. Any amounts
3 transferred from the Fund in excess of \$1,000,000
4 in any fiscal year may only be transferred by follow-
5 ing reprogramming procedures in compliance with
6 section 606 of the Departments of Commerce, Jus-
7 tice, and State, the Judiciary, and Related Agencies
8 Appropriations Act, 1989 (Public Law 100-459;
9 102 Stat. 2227).’”;

10 (8) in subsection (j) in the second sentence by
11 inserting “in statute” after “not specified”;

12 (9) by redesignating subsections (k) and (l) as
13 subsections (l) and (m), respectively, and by insert-
14 ing after subsection (j) the following new subsection:

15 “(k) LONG RANGE MANAGEMENT AND BUSINESS
16 PLANS.—The Director of the Administrative Office of the
17 United States Court shall—

18 “(1) develop an overall strategic business plan
19 which would identify the judiciary’s missions, goals,
20 and objectives;

21 “(2) develop a long range automation plan
22 based on the strategic business plan and user needs
23 assessments;

24 “(3) establish effective Administrative Office
25 oversight of court automation efforts to ensure the

1 effective operation of existing systems and control
2 over developments of future systems;

3 “(4) expedite efforts to complete the develop-
4 ment and implementation of life cycle management
5 standards;

6 “(5) utilize the standards in developing the next
7 generation of case management and financial sys-
8 tems; and

9 “(6) assess the current utilization and future
10 user requirements of the data communications net-
11 work.”; and

12 (10) in subsection (m) (as redesignated under
13 paragraph (9) of this section—

14 (A) in the first sentence by striking out
15 “1994”, and inserting in lieu thereof, “1997”;
16 and

17 (B) in the second sentence by striking out
18 “‘Judicial Services Account’” and inserting in
19 lieu thereof “fund established under section
20 1931 of this title”.

21 **SEC. 3. COURT ARBITRATION AUTHORIZATION.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
23 905 of the Judicial Improvements and Access to Justice
24 Act (28 U.S.C. 651 note) is amended—

1 (1) in the first sentence by striking out “for the
 2 fiscal year ending September 30, 1989, and for each
 3 of the succeeding 7 fiscal years,” and inserting in
 4 lieu thereof “for each of the fiscal years 1994
 5 through 1997”; and

6 (2) in the third sentence by striking out all be-
 7 ginning with “, except that” through “this Act”.

8 (b) REMOVAL OF REPEALER.—Section 906 of the
 9 Judicial Improvements and Access to Justice Act (28
 10 U.S.C. 651 note), and the item relating to such section
 11 in the table of contents contained in section 3 of such Act,
 12 are repealed.

13 **SEC. 4. EXTENSION OF CIVIL JUSTICE EXPENSE AND DELAY**
 14 **REDUCTION PILOT PROGRAMS.**

15 Section 105 of the Civil Justice Reform Act of 1990
 16 (28 U.S.C. 471 note; 104 Stat. 5097) is amended—

17 (1) in subsection (a)(1) by striking out “4-year
 18 period” and inserting in lieu thereof “5-year pe-
 19 riod”;

20 (2) in subsection (b)(3)—

21 (A) in the first sentence by striking out “3
 22 years” and inserting in lieu thereof “4 years”;
 23 and

1 (B) in the second sentence by striking out
2 “3-year period” and inserting in lieu thereof
3 “4-year period”; and
4 (3) in subsection (c)(1) by striking out “Decem-
5 ber 31, 1995,” and inserting in lieu thereof “Decem-
6 ber 31, 1996,”.

Passed the Senate August 18, 1994.

Attest:

Secretary.